

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2007-402-C – ORDER NO. 2008-19
JANUARY 23, 2008

IN RE: Petition of HTC Communications, LLC for) ORDER GRANTING
Designation as an Eligible) CONFIDENTIAL
Telecommunications Carrier) TREATMENT

This matter comes before the Public Service Commission of South Carolina (the Commission) on the motion of HTC Communications, LLC (HTCC or the Company) for protection of certain material filed in this docket. HTCC requests that the Company's two year Network Improvement Plan (Plan), with attachments, to the Company's Petition for Designation as an Eligible Telecommunications Carrier filing be held as proprietary information and be protected from public disclosure.

On November 8, 2007, HTCC filed with the Commission a petition seeking designation as an Eligible Telecommunications Carrier. With its petition, HTCC filed the Company's Plan for improvements and upgrades to the Company's wireless network and filed such Plan as confidential. By motion filed December 20, 2007, HTCC moved for protection of its Plan by this Commission. HTCC asserts in its motion that the Company's Plan contains confidential information of a proprietary nature dealing with cell site selections and network coverage, business and technical network information, planned capital expenditures, and time lines extending two years into the future. According to HTCC, public disclosure of these materials would cause serious

competitive harm to the Company and would reveal details pertaining to HTCC's network infrastructure, customer base, marketing strategies, and the Company's competitive position in the South Carolina telecommunications marketplace. HTCC requests the Commission preserve the confidentiality of the information contained in the Company's Plan. HTCC filed its Plan in a separate and sealed package clearly marked "confidential."

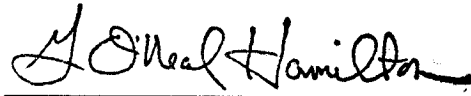
The South Carolina Freedom of Information Act ("FOIA") allows exemption from disclosure proprietary business information that meets a definition of "trade secrets." S.C. Code Ann. Section 30-4-40(a)(1) states that matters which may be exempt from FOIA include: "(1) Trade secrets, which are defined as unpatented, secret, commercially valuable plans, appliances, formulas, or processes....Trade secrets also include, for those public bodies who market services or products in competition with others, feasibility, planning, and marketing studies, and evaluations and other materials which contain references to potential customers, competitive information or evaluation." We find that the information contained in HTCC's Network Improvement Plan for which the Company seeks protection as confidential meets the definition of "trade secrets" as defined under FOIA, and therefore, we grant HTCC's Motion.

IT IS THEREFORE ORDERED THAT:

1. The Motion of HTC Communications, LLC for protection is granted. Accordingly, the Network Improvement Plan, with attachments, to the Application of HTC Communications, LLC filed with the Commission is granted confidential treatment and shall be maintained under seal and withheld from public disclosure.

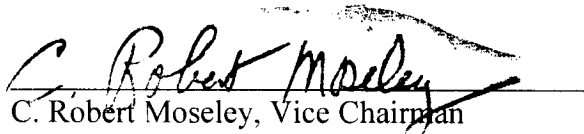
2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:


C. Robert Moseley, Vice Chairman

(SEAL)